



COMMONWEALTH of VIRGINIA

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ADMINISTRATIVE DIRECTIVE

Number: 07-006.3

Subject: REVIEW AND APPROVAL OF RESEARCH PROPOSALS

I. Purpose and Scope

This Directive describes how research proposals will be reviewed, approved, and coordinated. It does not apply to program evaluations, management studies and routine data analyses conducted or contracted for by the Department of Juvenile Justice (DJJ) and approved through the chain of command. Research conducted **jointly** by a DJJ organizational unit and an outside entity, such as a university, may be approved either pursuant to this Directive or through the chain of command for internal research, as seems most appropriate to the project.

This Directive implements and must be applied in conjunction with the Minimum Standards for Research Involving Human Subjects or Records of the Department of Juvenile Justice (6 VAC 35-170) issued by the Board of Juvenile Justice. In addition, the Board has adopted the following policy 07-001:

“It is the policy of the Board of Juvenile Justice to support and encourage research on delinquency and its causes, and on the effectiveness of programs and services intended to reduce juvenile offending.

All research activities conducted within Virginia’s juvenile justice system shall comply with all applicable state and Federal laws and regulations and with medical, societal, and professional ethics; guarantee the safety, health, privacy, and confidentiality of clients and staff; and prohibit unauthorized access to and publication of information that identifies individuals or families. Research activities must not impede rehabilitation and treatment of juveniles and must not compromise the security of juvenile facilities or place the public safety at risk.

The Department may charge researchers reasonable fees to offset costs incurred in supporting specific research projects.”

II. Supersession

This Directive amends and supersedes Department procedures 07-006.1, *Review and Approval of External Research Proposals*, and 07-006.2, *Review and Approval of Human Research Proposals*, both of which were effective on October 10, 1998.

III. Definitions

This Directive uses terms as defined in the Minimum Standards for Research Involving Human Subjects or Records of the Department of Juvenile Justice or in § 32.1-162.16 of the Code of Virginia. In addition, the following terms shall have the meaning indicated, unless the context clearly demands a different understanding of the term.

“Coordinator of External Research” is the DJJ employee designated by the Director to coordinate the review and approval of research proposals from persons outside the agency. The Manager of the Research and Evaluation Section is hereby designated as the Coordinator of External Research.

“External Research” is that done by researchers who are not part of the Department or under contract to DJJ, or who are not employees of another state agency conducting a study at the direction of the General Assembly.

“Human Research Review Committee” is the Committee named by the Director to oversee human research proposals and activities in accordance with § 32.1-162.9 of the Code of Virginia.

“Organizational Unit” is used as defined in Directive 02-001.2.

IV. General Requirements for all Research Proposals

- A. External researchers proposing to conduct either human research or non-human research, and Department personnel proposing to conduct human research, will follow the same steps in submitting their research proposal for consideration by DJJ.
- B. The Department’s website will include information on conducting research at DJJ, including instructions and forms for use by outside researchers in proposing research projects.
- C. Initial contact with DJJ:
 - 1. The principal researcher will provide the Coordinator of External Research an electronic copy of the research proposal via e-mail or on disk. In accordance with 6 VAC 35-170-100, the research proposal should contain the following elements, as applicable to the research proposal:

- a. Name, address, telephone numbers, title, and affiliation of the principal researcher;
- b. Name of the person who will immediately supervise the project, if different from the principal researcher;
- c. Funding source, if any;
- d. Date of the proposal's submission to DJJ;
- e. Title or descriptive name of the proposed research project;
- f. Statement of the specific purpose(s) of the proposed research project with anticipated results, including benefit to DJJ;
- g. A concise description of the research design and techniques for data collection and analysis, and of the likely effects of the research methodology on existing programs and institutional operations;
- h. Time frames indicating proposed beginning and ending dates for data collection, analysis, preliminary report, and final report;
- i. A listing of any resources the researcher will require from DJJ or its units, such as staff, supplies, materials, equipment, work spaces, or access to clients and files.
- j. Identification of the organizational unit where the research will be conducted, if applicable;
- k. For student research, endorsement from the researcher's academic advisor or other appropriate persons;
- l. For research involving records of juveniles at state and local court service units, endorsement from the appropriate juvenile and domestic relations judge(s);
- m. For human research, endorsement from the institutional review board of the institution or organization with which the researcher is affiliated (NOTE: There are additional requirements for human research detailed in Part V of this Directive.); and
- n. For all research projects, a signed and dated statement that the principal researcher and research staff have read, understand, and agree to abide by these regulations.

D. Departmental Review and Approval

1. Within five days of receiving the research proposal, the Coordinator of External Research will verify that:
 - a. The principal researcher has appropriate academic or professional standing or job-related experience in the area to be studied, or is directly supervised by a person with such standing or experience;
 - b. The research conforms to generally accepted ethical standards of professional societies such as the American Correctional Association, the American Psychological Association, the American Sociological Association, the National Association of Social Workers, the American Evaluation Association, or their equivalent;
 - c. The proposal is in the required format and includes all required information; and
 - d. The proposal complies with basic research standards and applicable laws.
2. If basic requirements are met, the Coordinator of External Research will send the proposal to the appropriate Deputy Director, who will determine within five work days if the proposed research meets the following conditions for DJJ approval as set forth in 6 VACV 35-170-50:
 - a. The Department has sufficient financial resources and staff to support the research project and that the benefits of the research justify DJJ's involvement;
 - b. The proposed research is compatible with the purposes and goals of the juvenile justice system and with DJJ's organization, operations, and resources.
 - c. The proposed research will not interfere significantly with Department programs or operations, particularly those of the operating units that would participate in the proposed research.

(In making this determination, the Deputy may consult with the organizational unit head of any unit where the proposed research is to be conducted and identify any issues that might affect the normal operation of the unit. The Deputy may suggest adjustments to the research proposal as needed to address any concerns of the organizational unit head.)

3. Within five days of receiving the decision of the Deputy Director, the Coordinator of External Research shall:
 - a. Notify the researcher that the proposal was not approved; or
 - b. If the research proposal involves human research, refer the proposal as approved by the Deputy Director to the Human Research Review Committee for substantive review; or
 - c. If the research proposal does not involve human research, prepare and send to the principal researcher a Research Agreement. The Research Agreement will outline the respective responsibilities of the parties and will specify:
 - 1) when progress reports shall be required (NOTE: If the external research also involves human research, this schedule of progress reports shall be developed in consultation with the Human Research Review Committee);
 - 2) that the Department shall have unrestricted permission to use the research findings in accordance with professional standards of research;
 - 3) that a final report shall be submitted to the Coordinator of External Research, and the number of copies required; and
 - 4) that the research agreement is not effective until signed by both the principal researcher and the Director of DJJ.
4. Within five days of receiving the signed Research Agreement from the principal researcher, the Coordinator of External Research will submit the Research Agreement to the Director along with the research proposal and documentation of all required approvals.
5. The Director will approve or deny a proposed research project within five business days of receiving the recommendation. The Coordinator of External Research will notify the principal researcher of the Director's decision.
6. The Research Agreement shall become effective only when signed by the Director and the principal researcher receives a copy of the signed agreement.

E. Dissemination of Research Findings

The Coordinator of External Research will distribute the findings of all external research projects to appropriate personnel and units in the Department. If the research findings have wider application outside DJJ, the Coordinator of External Research shall consult with management to determine if and how to distribute the findings outside DJJ.

F. Annual Report

1. The Coordinator of External Research shall report annually to the Director on the proposals received for research other than human research, the projects approved and in progress, and the status of those research activities.
2. When external research also involves human research, the Coordinator of External Research shall consult with the Human Research Review Committee to minimize duplication of efforts while ensuring that the reporting requirements for human research projects are also met.

V. Human Research

A. General Provisions

1. The categories of human research listed in Code of Virginia § 32.1-162.17 are exempt from the provisions of Part V of this Directive.
2. Human research that is not exempted by Code of Virginia § 32.1-162.17 requires endorsement from the institutional review board of the institution or organization with which the researcher is affiliated.
3. Complete human research proposals must be submitted to the Coordinator of External Research in accordance with Part IV.A of this Directive in sufficient time to complete all required reviews and approvals.
4. No human research project may be undertaken within the Department of Juvenile Justice without the express, written authorization of the Director upon the recommendation of the Human Research Review Committee.

B. Review and Approval of Human Research Proposals

Upon determination by the Deputy Director that the human research proposal meets the conditions set forth in 6 VACV 35-170-50 (see Part IV.A.3), the Coordinator of External Research shall submit the proposal to Human Research Review Committee. The principal researcher shall be given the opportunity,

whenever possible, to personally explain the project to the Committee and answer any questions.

C. Human Research Review Committee

1. To ensure the competent, complete, and professional review of human research activities, there is hereby established a Human Research Review Committee as required by Virginia Code § 32.1-162.9. In addition to overseeing human research activities in DJJ, the Committee will serve as the fact-finding and investigation committee when allegations are made of misconduct in research (see Procedure 07-001.1). The manager of DJJ's Research and Evaluation Section shall keep a current listing of members of the Human Research Review Committee, along with their terms of appointment, and shall notify the Director at least 60 days before the end of a Committee member's term so that an appropriate appointment or re-appointment may be made.
2. Composition of Human Research Review Committee
 - a. The Human Research Review Committee shall consist of at least seven persons representing varied backgrounds, including:
 - The manager of the Research and Evaluation Section, who will serve as chair of the Committee;
 - The Chief Psychologist of DJJ's Behavioral Services Unit;
 - At least three persons who are not employed by DJJ;
 - At least one person from a non-scientific profession (e.g., lawyer, ethicist, clergy person);
 - At least one person with the background and experience to advocate for the welfare of human research subjects and may be the Department's Ombudsman.
 - b. Non-department personnel will be appointed to two-year terms and may be re-appointed to successive terms.
3. Committee Operation
 - a. The Committee will meet as often as necessary to give timely consideration to human research proposals. Whenever practicable, proposals will be e-mailed to the Committee members, who shall act on a research proposal within 10 business days of the proposal's approval by the Deputy.
 - b. A Committee member who is directly involved in a research project or has administrative authority over a research project apart from his or her role on the Committee, shall not vote on such research.

- c. A simple majority of Committee members will constitute a quorum. The Committee may meet in person or by conference call.
- d. The Committee may consult with any person who has expertise or competence pertinent to the proposed research. Such persons may offer their opinions but may not vote when the Committee makes its decision.

4. Review of Human Research Proposals

In reviewing a human research proposal, the Committee will consider, as required by Code of Virginia § 32.1-162.19, if:

- a. the research's potential risks and benefits are adequately described;
- b. the methodology of the research is adequate;
- c. the research, if it is non-therapeutic, presents more than a minimal risk to the human subjects;
- d. the rights and welfare of the human subjects are adequately protected;
- e. the potential benefits to the human subjects outweigh the risks to them;
- f. the researchers are appropriately competent and qualified;
- g. the criteria for selecting subjects are valid and equitable;
- h. informed consent will be obtained by methods that are adequate, appropriate, and in accordance with the requirements of Virginia Code § 32.1-162.18 and the requirements of 6 VAC 35-170-80. Any form used must be understandable to potential participants.

5. Special Provisions Regarding Informed Consent

- a. In accordance with Virginia Code § 32.1-162.18.C., the Committee may waive the requirement to obtain informed consent or may approve a consent process that omits or alters some or all of the basic elements of informed consent if the Committee finds and documents that the proposed research meets all of the requirements of 6 VAC 35-170-160.B.
- b. In accordance with Virginia Code § 32.1-162.18.D., the Committee may waive the required informed consent for some or

all subjects when the conditions detailed in 6 VAC 35-170-160.D are met.

6. After reviewing the human research proposal, the Committee may:
 - a. recommend that the Director approve the research;
 - b. reject the research proposal as inconsistent with any of the provisions of Virginia Code §§ 32.1-162.16, et seq., or Department policies and procedures, or as incompatible with available resources; or
 - c. defer a recommendation pending receipt of additional information or modification of the proposal by the researcher.

D. The Director may set conditions on the research, which shall be put in writing.

E. Periodic Review of Human Research in Progress

- a. In accordance with Virginia Code § 32.1-162.19, the Committee shall require periodic reports from each human research project to ensure that the project is being carried out in conformity with the proposal as approved. In the case of human research that is also external research, the Committee shall set these reporting requirements in consultation with the Coordinator of External Research.
- b. The Committee may recommend that the Director terminate any research project that deviates significantly from the proposal as approved or from any conditions imposed by the Director.

F. Committee to Issue Annual Report

The Committee shall submit annually to the Governor, the General Assembly, the Board of Juvenile Justice, and the Director of DJJ a report on the human research projects reviewed and approved by the Committee, including any research that has deviated from the research design as approved. In the case of human research that is also external research, the Committee shall consult with the Coordinator of External Research to minimize duplication of efforts while ensuring that the reporting requirements for external research projects are also met.

VI. Data Research

- A. “Data research” means the use of statistical material and information (such as archival data, surveys, official records, and official statistics) originally gathered for another purpose. Although data research does not present a direct and

immediate risk to the subject, there is a risk of loss of confidentiality should the subject be identified through the reporting of such records or information.

- B. Data research projects must not interfere significantly with DJJ's programs or operations, especially facility security. The operating units that would be involved in the proposed research shall be consulted in assessing the anticipated impact on operations.
- C. The benefits to be derived from the proposed research must be sufficient to justify DJJ's involvement.
- D. The proposed research must be compatible with the purposes and goals of the juvenile justice system and with DJJ's mission, organization, operations, and resources.
- E. The proposed data research project shall be described fully in a Research Proposal Summary containing the following information:
 - 1. Name, address, telephone numbers, title, and affiliation of the principal researcher;
 - 2. Name of the person who will supervise the project, if different from the principal researcher;
 - 3. Funding source, if any;
 - 4. Date of the proposal's submission to the Research and Evaluation Unit;
 - 5. Title of the proposed research project;
 - 6. The specific purpose(s) of the proposed research project with anticipated results, including benefit to DJJ;
 - 7. Research methodology including the research design and techniques for data collection and analysis; and a statement as to if and how the research will affect existing programs or operations;
 - 8. Identification of any data or information to be used in the research that must be kept confidential as required by state and federal laws or regulations, or by Department policy, and the measures the researcher will take to ensure confidentiality.
 - 9. Time frames indicating proposed beginning and ending dates for data collection, analysis, and preliminary report, and final report.

- F. Data research proposals shall be reviewed by the manager of the Research and Evaluation Section and approved by the appropriate Deputy Director or designee.
- G. Within 10 business days of receiving all required forms and documentation, the manager of the Research and Evaluation Section shall review the data research proposal, consult with the appropriate Deputy Director and with the operating unit(s) supplying the data, and make a recommendation to the Deputy Director to approve or deny the proposal.
- H. The Deputy Director shall approve or disapprove the proposed data research project within 10 business days of receiving the recommendation from the manager.

Approved: /s/ Barry R. Green
Date: 8/2/05